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190951Z Dec 02

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ACTION EAP-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	CIAE-00	DOEE-00	SRPP-00
	DS-00	EB-00	FBIE-00	UTED-00	VC-00	H-01	TEDE-00
	INR-00	IO-00	LAB-01	L-00	VCE-00	MOFM-05	MOF-01
	AC-01	NSAE-00	NSCE-00	OIC-02	OMB-01	OPIC-01	PA-00
	PM-00	PRS-00	ACE-00	P-00	SP-00	SS-00	STR-00
	TEST-00	TRSE-00	T-00	USIE-00	IIP-00	PMB-00	DSCC-00
	PRM-00	DRL-02	G-00	NFAT-00	SAS-00	/015W	

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FM AMEMBASSY HANOI
TO SECSTATE WASHDC 8420
INFO ALL EUROPEAN UNION POST COLLECTIVE
AMEMBASSY PHNOM PENH
AMEMBASSY VIENTIANE
AMCONSUL HO CHI MINH CITY
SECDEF WASHDC//ISA/ACHAO//
USCINCPAC HONOLULU HI

UNCLAS SECTION 01 OF 02 HANOI 003028

SIPDIS

SENSITIVE

DEPT FOR EAP/BCLTV AND DRL

E.O. 12958: N/A

TAGS: PHUM PREL KIRF EU VM EMIN HUMANR

SUBJECT: EU HUMAN RIGHTS DIALOGUE WITH VIETNAM
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REF A: FBIS SEP20021206000036
REF B: STATE 241039

1. (SBU) SUMMARY: THE EU, REPRESENTED BY THE TROIKA AMBASSADORS, HELD A HUMAN RIGHTS DIALOGUE WITH THE GVN IN HANOI ON DECEMBER 5 (REF A). MORE THAN A DOZEN GVN OFFICIALS PARTICIPATED, INCLUDING REPRESENTATIVES OF THE MINISTRY OF FOREIGN AFFAIRS (MFA), MINISTRY OF PUBLIC SECURITY (MPS), AND MINISTRY OF JUSTICE (MOJ). TOPICS INCLUDED THE CENTRAL HIGHLANDS, PRISONERS AND DETAINEES OF CONCERN, THE DEATH PENALTY, PRISON VISITS, AND FUTURE DIALOGUES. THE GVN PROVIDED AN UPDATE OF THREE PERSONS OF CONCERN ON A EU LIST, AS WELL AS THREE OTHERS. END SUMMARY.

2. (U) THE EU HAS EMBARKED ON A TWO-TIER HUMAN RIGHTS DIALOGUE WITH THE GVN. LONG-STANDING WORKING LEVEL DIALOGUES TAKE PLACE REGULARLY; THE LAST OCCURRED IN OCTOBER AND THE NEXT IS TENTATIVELY SCHEDULED FOR MARCH. ON DECEMBER 5, THE EU TROIKA AMBASSADORS HAD THE SECOND HUMAN RIGHTS DIALOGUE AT THAT LEVEL; THE FIRST TOOK PLACE IN MAY 2002 AND WILL CONTINUE ON A SEMI-ANNUAL BASIS, CORRESPONDING WITH CHANGES IN THE EU PRESIDENCY. AT THE LATEST MEETING, THE TROIKA (WITH ITALY REPRESENTING GREECE) HANDLED THE DIALOGUE BY ITSELF, WITHOUT ASSISTANCE FROM OTHER EU MEMBERS, ACCORDING TO EU EMBASSY CONTACTS. THE NEXT TROIKA AMBASSADORS' MEETING WILL BE IN MAY 2003.

3. (SBU) THE AMBASSADORIAL-LEVEL REPRESENTATION AT THE DECEMBER 5 DIALOGUE GAVE IT "MORE CLOUT" THAN NORMAL, ACCORDING TO ONE EU SOURCE (WITHOUT EXPLAINING THE EXACT
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BENEFITS IN WHAT APPEARED TO A MOSTLY LACKLUSTER EXCHANGE). OVER A DOZEN GVN OFFICIALS ATTENDED, LED BY LE LUONG MINH, THEN-ACTING DIRECTOR OF MFA'S INTERNATIONAL ORGANIZATIONS DEPARTMENT. (NOTE: MINH, WHO ALSO HEADED THE GVN DELEGATION AT THE US-VIETNAM HUMAN RIGHTS DIALOGUE IN NOVEMBER, HAS SINCE BEEN ASSIGNED AS ACTING DIRECTOR OF THE MFA'S MULTILATERAL ECONOMIC COOPERATION DEPARTMENT. END NOTE) DEPUTY DIRECTORS OF THE EUROPE II DEPARTMENT, THE CONSULAR DEPARTMENT, AND THE PRESS DEPARTMENT ALSO REPRESENTED THE MFA. AS AT THE VIETNAM/US DIALOGUE (REF B), THE PARTICIPATION OF MINISTRIES OTHER THAN THE MFA WAS UNPRECEDENTED FOR THE EU. MOJ AND MPS REPRESENTATIVES ALSO ATTENDED THE BILATERAL HUMAN RIGHTS DIALOGUE WITH AUSTRALIA IN MAY 2002.

4. (SBU) ACCORDING TO AN EU EMBASSY SOURCE, IT WAS "DIFFICULT" TO GET DISCUSSIONS GOING DURING THE THREE-HOUR MEETING, AS THE GVN FREQUENTLY ANSWERED EU QUESTIONS "WITH RHETORIC." HOWEVER, EU REPRESENTATIVES CLAIMED TO HAVE FOUND "CONVINCING" THE ANSWER OF THE MFA PRESS DEPARTMENT'S REPRESENTATIVE ABOUT REPORTS THAT THREE MONTAGNARDS HAD BEEN

EXECUTED RECENTLY BY LETHAL INJECTION. THE PRESS OFFICIAL STATED THAT NOT ONLY WERE THE REPORTS OF DEATH UNTRUE, BUT THAT ONLY ONE OF THE THREE HAD EVEN BEEN IN DETENTION, AND HAD ALREADY BEEN RELEASED.

15. (SBU) GVN OFFICIALS NOTED THE DIFFICULTIES IN CHECKING LISTS OF PERSONS OF CONCERN (SUCH AS THE LIST OF ABOUT 15 PERSONS SUBMITTED AT THE OCTOBER WORKING-LEVEL DIALOGUE) BECAUSE SOME INDIVIDUALS WERE LISTED BY THEIR RELIGIOUS NAMES, WHILE PRISONER RECORDS ARE BY CIVIL NAMES.

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NONETHELESS, THE GVN PROVIDED THE EU TROIKA AMBASSADORS ORAL UPDATES ABOUT THREE INDIVIDUALS ON THE OCTOBER LIST, AS WELL AS INFORMATION ABOUT THREE INDIVIDUALS NOT ON THE EU LIST (SEE PARA 8). GVN OFFICIALS DID NOT EXPLAIN WHY THEY PROVIDED INFORMATION ON THE OTHER THREE, DESPITE QUESTIONING FROM THE EU PARTICIPANTS.

16. (SBU) EU REPRESENTATIVES ASKED WHETHER DEATH PENALTY STATISTICS WERE AVAILABLE. (NOTE: THERE IS SOME FEELING AMONG HANOI-BASED EU MEMBER COUNTRY DIPLOMATS THAT THE GVN DOES NOT CARRY OUT ALL OF THE DEATH SENTENCES IT IMPOSES, AND THAT THIS COULD BE SEEN AS A FAVORABLE HUMAN RIGHTS POINT. END NOTE) THE GVN SIDE REPLIED THAT NO SUCH STATISTICS ARE AVAILABLE, BUT SOME OF THE GVN DELEGATES APPEARED TO GRASP THE EU'S POINT THAT THEY MIGHT TELL A MORE FAVORABLE STORY, ACCORDING TO ONE EU EMBASSY SOURCE.

17. (SBU) THE EU TROIKA REQUESTED PERMISSION TO VISIT Z30A PRISON IN DONG NAI OR B14 PRISON NEAR HANOI; BOTH REPORTEDLY HOUSE A NUMBER OF PERSONS OF CONCERN. GVN OFFICIALS INDICATED WILLINGNESS TO ARRANGE A PRISON VISIT "ANY TIME," BUT AS OF DECEMBER 18 HAD NOT YET REPLIED TO THIS EU REQUEST. (NOTE: IN JUNE THE GVN TURNED DOWN A CANADIAN EMBASSY REQUEST TO VISIT B14. END NOTE)

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	PER-00	PM-00	PRS-00	ACE-00	P-00	SP-00	SS-00
	STR-00	TEST-00	TRSE-00	T-00	USIE-00	ECA-00	IIP-00
	PMB-00	DSCC-00	PRM-00	DRL-02	G-00	NFAT-00	SAS-00

/015W

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R 190951Z DEC 02
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INFO ALL EUROPEAN UNION POST COLLECTIVE
AMEMBASSY PHNOM PENH
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18. (SBU) GVN ORAL REPORTS ON PRISONERS:

-- FATHER NGUYEN VAN LY: HAS NOT YET QUALIFIED TO HAVE ANY REDUCTION IN SENTENCE "SINCE HE HAS NOT MADE ANY PROGRESS" (NO. 1 EU LIST)(IN A SEPARATE CONVERSATION ON DECEMBER 18, VICE FOREIGN MINISTER LE VAN BANG MADE A SIMILAR POINT ABOUT FATHER LY TO AMBASSADOR.)

-- PHAM MINH TRI (AKA FATHER JOHN PHAM NGOC LIEN): SENTENCED 20 YEARS FOR DAMAGING NATIONAL UNITY, SENTENCE REDUCED BY 21 MONTHS, (NO. 2 EU LIST). (POST NOTE: WITH THE REDUCTION IN SENTENCE HE WOULD BE SCHEDULED FOR RELEASE O/A AUGUST 21, 2005.)

-- NGUYEN DINH HUY: SENTENCED 15 YEARS FOR DAMAGING NATIONAL UNITY, REDUCED BY 15 MONTHS (NO. 12 EU LIST). (POST NOTE: IN AUGUST 2001, THE GVN INFORMED POST THAT HUY'S SENTENCE HAD BEEN REDUCED BY 12 MONTHS. IT IS NOT CLEAR WHETHER THIS IS AN ADDITIONAL 15-MONTH REDUCTION OR MERELY AN ADDITIONAL THREE MONTH REDUCTION; IF THE LATTER,

HE WOULD BE SCHEDULED FOR RELEASE O/A AUGUST 17, 2007.)
-- PHAM CONG HIEN (AKA HIEN NHON): SENTENCED TO TWO YEARS
IN PRISON IN OCTOBER 2000, RELEASED AFTER 21 MONTHS. (POST
NOTE: THE GVN PROVIDED POST THE SAME INFORMATION IN AUGUST
2001.)
-- NGUYEN DUC HUAN: SENTENCED TO 20 YEARS OF PRISON FOR
DAMAGING NATIONAL UNITY. (POST NOTE: POST HAS NO
INFORMATION UNDER THIS NAME.)
-- HUYN VAN BA: SENTENCED TO LIFE, LATER REDUCED TO 20
YEARS. (POST NOTE: AKA THICH THIEN MINH, THE GVN PROVIDED
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POST THE SAME INFORMATION IN AUGUST 2001.)
BURGHARDT

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